

SUBJ: COMMENTS – DOCKET # FMCSA-2001-11117

The Iowa Institute for Cooperatives is a trade organization representing 135 cooperative businesses throughout the state of Iowa. The largest group of cooperatives represented within the Institute's membership is the farm supply cooperatives that are the primary suppliers of fertilizer, fuels and propane to agricultural producers in Iowa. The Iowa Institute for Cooperatives and our membership recognizes the importance of these rules that have been established in the interest of national security and are willing to do our part in this vital effort. We are concerned that the compliance date of November 3, 2003 does not provide a reasonable amount of time to put in place the changes and mechanism required to carry out the requirements of these rules. At this time Iowa licensing facilities do not have equipment in place to accomplish the fingerprinting requirements and have not been appropriated funding or authorization by the state's legislature to secure such equipment or engage a third party to perform this service. We are also concerned that, however this service is provided, quality control be maintained at the highest standard to avoid time being lost as a result of re-fingerprinting to acquire clear and readable prints. Failure to achieve quality control in this area will add cost at all levels and could result in an employee's loss of HM endorsement while this process is taking place. This is a critical issue for our members as most are located in small communities with a limited pool of available drivers.

We also have questions that do not appear to be clearly answered in the rules:

Will seasonal or restricted CDL holders have to comply with the HM security check requirements? This is a critical group of employees to our member farm supply cooperatives. They typically transport anhydrous ammonia and other ag inputs from local storage to the farmer's field. This activity occurs during a short period of time in the fall after harvest and in the spring as crops are being planted. These drivers are typically local people who know the local areas to allow efficient delivery, often farmers, retired farmers or other long time residents of the community who know the area and its residents well. Currently these CDL holders are exempt from the HM endorsement requirement and this critical seasonal employee pool may be eliminated if they need to comply with these rules. If this group needs to comply with these rules can the security checks be expedited for these short-term seasonal employees?

Will FMCSA notify the employer of a disqualified driver, or allow the licensing jurisdiction to make such notification?

Can renewal applications be accepted and security checks started before 180 days prior to expiration to assure HM endorsements do not lapse as security checks are being completed?

The Iowa Institute for Cooperatives strongly urges that the November implementation date be delayed to allow time for specific procedures to be developed and to allow states and industry time to prepare as more definitive information becomes available.

